

SECOND AMENDMENT TO  
GRANT OF ROADWAY EASEMENT

EUREKA COUNTY, NEVADA  
M.N. REBALEATI, RECORDER  
FILE NO. FEES 22.00

200571

THIS SECOND AMENDMENT TO GRANT OF ROADWAY EASEMENT ("Second Amendment"), made effective as of AUGUST 15, 2005, is between Newmont USA Limited, a Delaware corporation d/b/a Newmont Mining Corporation, successor in interest to Newmont Gold Company, ("Newmont") whose address is 1700 Lincoln Street, Denver, Colorado 80203 and Elko Land and Livestock Company, a Nevada corporation, whose address is 555 Fifth Street, Elko, Nevada 89801 (individually or collectively "Grantor"), and Barriek Goldstrike Mines Inc., a Colorado corporation, whose address is P. O. Box 29, Elko, Nevada 89803 ("Grantee").

RECITALS

A. Grantor owns or controls certain lands within Section 3, T. 35N., R. 50E. and Sections 21, 28 and 33, T. 36N., R. 50E., M.D.M., Eureka County, Nevada.

B. By Grant Of Roadway Easement agreement dated April 29, 1988 ("Easement Agreement"), Newmont as Grantor granted to Grantee, its successors and assigns, an easement right to construct and maintain an access roadway ("Access Roadway") across, and upon portions of said lands, subject to the terms and conditions of the Easement Agreement, and as more particularly described by Exhibit A attached thereto.

C. By execution of a First Amendment To Grant Of Roadway Easement ("First Amendment"), dated effective August 10, 2004 and recorded on September 20, 2004 in the official records of Eureka County, Nevada as Document File # 192531, the Easement Agreement was amended to have the easement description more accurately reflect the as built location and cut and fill extents of the Access Roadway, all as more particularly described by Exhibits A and B attached to the First Amendment.

D. The parties now desire to amend the Easement Agreement, as amended by First Amendment, to include an extension of the Access Roadway across certain lands owned or controlled by Grantor in Sections 21, and 28, T. 36N., R. 50E., M.D.M., Eureka County, Nevada.

AGREEMENT

In consideration of the covenants and agreements contained herein and in the Easement Agreement, as amended, Grantor and Grantee agree as follows:

1. Exhibits A and B to the Easement Agreement, as amended by First Amendment, describing the easement for the Access Roadway, are hereby replaced and substituted in there

entirety by Exhibit A "Description of Easement" and map Exhibit B "Map of Easement Description", that are attached to, and made a part of this Second Amendment.

2. Right of Use - BLM ROW N-60654. Newmont as Grantor further grants to Grantee the right to use BLM ROW N-60654 to the same extent Newmont is authorized under the BLM ROW grant.

3. Integration. This Second Amendment constitutes the complete and entire understanding and agreement among the parties with respect to the amendment set forth in Sections 1 and 2 above and supersedes all other understandings, either written or oral, relating to such amendment.

4. Ratification. Except as expressly set out in this Second Amendment, no other provision of the Easement Agreement, as amended, is revoked or amended. The Easement Agreement, as amended hereby, is ratified and confirmed by the parties and remains in full force and effect.

IN WITNESS WHEREOF, Grantor and Grantee have executed this Second Amendment to be effective as of the date first above written.

Grantor:

Newmont USA Limited, a Delaware corporation  
d/b/a Newmont Mining Corporation,

By: Richard M. Perry  
Name: RICHARD PERRY  
Title: VP, M&A operations

Elko Land and Livestock Company  
a Nevada corporation

By: John W. Krueger  
Name: John W. Krueger  
Title: President

Grantee:

Barrick Goldstrike Mines Inc.,  
a Colorado corporation

By: G. H. Long  
Name: Gregory H. Long  
Title: President

del  
08/15/2005

STATE OF NEVADA )

COUNTY OF Elko )

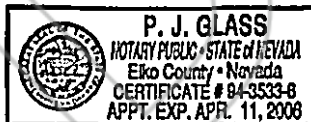
On this 15<sup>th</sup> day of August, 2005, personally appeared before me, a Notary Public, Richard Perry, a Vice President of Newmont Mining Corporation, personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that he executed the above instrument on behalf of Newmont Mining Corporation.

P. J. Glass

Notary Public

My Commission Expires:

April 11, 2006



STATE OF NEVADA )

COUNTY OF ELKO )

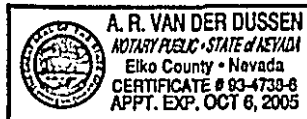
On this 15 day of AUGUST, 2005, personally appeared before me, a Notary Public, LELAND W. KRUGER, PRESIDENT of Elko Land and Livestock Company, personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that he executed the above instrument on behalf of Elko Land and Livestock Company.

A. R. Van Der Dussen

Notary Public

My Commission Expires:

OCT 6, 2005



STATE OF UTAH )

COUNTY OF SALT LAKE )

On this 15 day of August, 2005, personally appeared before me, a Notary Public, Greg A. Lang, ~~President~~ President of Barrick Goldstrike Mines Inc., personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that he executed the above instrument on behalf of Barrick Goldstrike Mines Inc.

My Commission Expires:

10-14-07

Notary Public



Notary Public  
JILL S. MOFFAT

130 East South Temple, Suite 1300  
Salt Lake City, Utah 84111  
My Commission Expires  
October 14, 2007  
State of Utah

**EXHIBIT A**  
**DESCRIPTION OF EASEMENT**

8/10/05

**EASEMENT PARCEL 1**

A portion of land within Section 3, T. 35N., R. 50E. and Sections 33 and 28, T. 36N., R. 50E., M.D.M., Eureka County, Nevada, being a strip of land one hundred fifty (150) feet in width and also including the existing cut and fill limits of the roadway known as the Barrick Access Road, lying in excess of seventy five (75) feet each side of the centerline of said 150 feet wide strip, the centerline of which being further described as follows:

Commencing at the Southeast corner of said Section 3, from which the South ¼ Corner of said Section 3, a PLS 6203 aluminum cap, bears S89°45'03"W, 2633.61 feet, also from which the East ¼ corner of said Section 3, a 1914 GLO brass cap, bears N00°08'52"W, 2641.49 feet;

Thence S89°45'03"W 100 feet along the south line of said Section 3 to the true point of beginning;

Thence N00°09'23"W, 9463.10 feet to a point of curve;

Thence northerly along a curve concave westerly, said curve having a length of 901.22 feet, a radius of 4693.91 feet, and a central angle of 11°00'02";

Thence N11°09'25"W, 3256.27 feet to the point of ending on the north line of the Southwest one quarter (SW¼) of said Section 28, from which the West ¼ Corner of said Section 28 bears S89°58'16"W, 205.32 feet;

The sidelines of said 150 feet wide strip being extended or shortened to terminate on the south line of said Section 3 and the north line of the Southwest one quarter (SW¼) of said Section 28;

EASEMENT PARCEL 1 contains 46.90 Acres, more or less and is further depicted on Exhibit B, Map of Easement Description, attached hereto and made a part hereof.

**EASEMENT PARCEL 2**

A portion of land within the North one half of the Northwest one quarter (N½NW¼) of Section 28, T. 36N., R. 50E., M.D.M., Eureka County, Nevada, being a strip of land one hundred fifty (150) feet in width and also including the existing cut and fill limits of the roadway known as the Mill 4 Access Road, lying in excess of seventy five (75) feet each

side of the centerline of said 150 feet wide strip, the centerline of which being further described as follows:

Commencing at the Southeast corner of Section 3, T. 35N., R. 50E. from which the South  $\frac{1}{4}$  Corner of said Section 3, a PLS 6203 aluminum cap, bears S89°45'03"W, 2633.61 feet, also from which the East  $\frac{1}{4}$  corner of said Section 3, a 1914 GLO brass cap, bears N00°08'52"W, 2641.49 feet;

Thence N03°29'26"W, 14907.81 feet to the true point of beginning on the south line of said N $\frac{1}{2}$ NW $\frac{1}{4}$ ;

Thence N02°04'54"W, 1328.93 feet to the point of ending on the north line of the said N $\frac{1}{2}$ NW $\frac{1}{4}$ , from which the West  $\frac{1}{4}$  Corner of Section 28, T. 36N., R. 50E. bears S02°01'36"W, 2657.15 feet;

The sidelines of said 150 feet wide strip being extended or shortened to terminate on the north and south lines of said N $\frac{1}{2}$ NW $\frac{1}{4}$ ;

EASEMENT PARCEL 2 contains 4.58 Acres, more or less and is further depicted on Exhibit B, Map of Easement Description, attached hereto and made a part hereof.

### EASEMENT PARCEL 3

A portion of land within the Northwest one quarter (NW $\frac{1}{4}$ ) Section 21, T. 36N., R. 50E., M.D.M., Eureka County, Nevada, being a strip of land one hundred fifty (150) feet in width and also including the existing cut and fill limits of the roadway known as the Mill 4 Access Road, lying in excess of seventy five (75) feet each side of the centerline of said 150 feet wide strip, the centerline of which being further described as follows:

Commencing at the Southeast corner of Section 3, T. 35N., R. 50E. from which the South  $\frac{1}{4}$  Corner of said Section 3, a PLS 6203 aluminum cap, bears S89°45'03"W, 2633.61 feet, also from which the East  $\frac{1}{4}$  corner of said Section 3, a 1914 GLO brass cap, bears N00°08'52"W, 2641.49 feet;

Thence N03°04'24"W, 18889.78 feet to the true point of beginning on the south line of said NW $\frac{1}{4}$ ;

Thence N01°18'53"W 1027.59' feet to a point of curve;

Thence northerly along a curve concave easterly, said curve having a length of 370.77 feet, a radius of 1065.00 feet, and a central angle of 19°56'49";

Thence northerly along a curve concave westerly, said curve having a length of 729.61 feet, a radius of 605.00 feet, and a central angle of  $69^{\circ}05'48''$  to the point of ending on the west line of the said NW $\frac{1}{4}$ , from which the West  $\frac{1}{4}$  Corner of Section 28, T. 36N., R. 50E. bears  $S00^{\circ}55'36''E$ , 7362.76 feet;

The sidelines of said 150 foot wide strip being extended or shortened to terminate on the south and west lines of said NW $\frac{1}{4}$ ;

EASEMENT PARCEL 3 contains 7.32 Acres, more or less and is further depicted on Exhibit B, Map of Easement Description, attached hereto and made a part hereof.



